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STACEY

A 'NEW SOUTH AFRICA': THE SOUTH AFRICAN TRUTH AND RECONCILIATION COMMISSION'S VEXED NATION-BUILDING PROJECT

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I am interested in investigating two questions in this paper. The first, which gets the lion's share of the paper's attention, has to do with the TRC as an agent of nation-building. I want to investigate whether, given some of the things we know about nationalism and nation-building, the South African situation is one in which the TRC might succeed in building a nation. Of course, the jury will be out in this case for some time still (perhaps centuries, if the emergence of nations in the past is any clue to their period of gestation), so my investigation must be highly speculative. But the social-scientific and historical literature on nations, nationalism and nation-building does furnish a set of tools, concepts and some helpful, consistent anecdotal evidence about what works and what doesn't in the nation-building game, what favours and what stymies the process, and I think some useful points can be made. The second question, which I deal with much more briefly, concerns the characteristics of the nation– or the kind of nation– which the TRC is seeking to establish. I want to hint at the moral strengths and weaknesses of the TRC's conception of the nation, particularly in light of some of the values the TRC itself promotes. Now, there is a sense in which one answer to the first question has strong implications for the second question. If it could be convincingly demonstrated that the TRC is simply not equipped to build a nation of any kind

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in a situation like the South Africa one, then the evaluation and criticism of the TRC's conception of the nation would be pointless in the same way that discussion of a constitution which was never promulgated would be pointless. As I say, though, it is unlikely that any decisive conclusions can be reached at this point about the nation-building potential of the TRC. In any case, other aspects of the TRC's functioning are illuminated by the exploration of its notion o the nation, whether or not it is competent to found this nation.

To start with, we need some idea of what have we learned in general about nations, nationalism and the processes of nation-building? The paragraphs that follow can, of course, present only a perfunctory and partial picture of the conclusions of an increasingly extensive and well-developed literature on these topics; but they should do enough to enable a discussion of the TRC's nation-building prospects. I want to highlight four themes, all somewhat related to one another, that seem pertinent.

What is a nation? We know something about what nations are and are not. We know from the analyses of Renan, Weber, Gellner and Anderson, amongst many others, that as a matter of fact nations are relatively new characters on the stage of world history, and that they cannot be exhaustively defined (or even particularly well understood) in terms of race, language, religion, geography or any other objective characteristics (even if, against or in ignorance of the evidence, they often understand themselves this way).1 An element of subjective recognition is ineliminable. That is, at least one conditions necessary for the existence of a nation is that 'a range of its representatives hold it to exist.'2

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1 Ernest Renan, 'What is a Nation?' in Homi K. Bhabha (ed.), *Nation and Narration* (London and New York: Routledge, 1990), pp. 8-21; Max Weber, 'The Nation,' in John Hutchinson and Anthony D. Smith (eds), *Nationalism* (Oxford and New York: Oxford University Press, 1994), pp. 21-25; Ernest Gellner, *Nations and Nationalism* (Ithaca: Cornell University Press, 1983); Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, 2nd edition (London and New York: Verso, 1991). Claims about the novelty and non-objectivity of nations are, of course, not uncontentious; see Anthony D. Smith, *The Ethnic Origins of Nations* (Oxford: Basil Blackwell, 1986) for the most sophisticated from of the challenge to this dominant perspective.

2 Adrian Hastings, *The Construction of Nationhood: Ethnicity, Religion and Nationalism* (Cambridge: Cambridge University Press, 1997), p. 26.

But if the New South Africa cannot be mythologized as an infant, it can be just as little mythologised as a comatose nation being roused from repose at the end of the twentieth century. And this is because any history which 'our nation' can recall is *not* the history of a nation. If any one thing is being awoken (and this is itself a dubious, almost unintelligible proposition), it is certainly not an already constituted nation. For the recent history of South Africa is, to recur to that pregnant first sentence of the *Report*, 'littered with some horrendous occurrences– the Sharpeville and Langa killings, the Soweto uprising, the Church Street bombing, Magoo's Bar, the Amanzamtoti Wimpy Bar bombing, the St James' Church Killings, Boipatong and Sebokeng.' This is the history merely of a place, a site, a land-mass, not the history of a nation that 'a range of its representatives hold to exist.' As the paragraph concludes (and not that it is nonsensical if "country" is supposed to be a synonym for "nation"), 'our country is soaked in the blood of her children of all races and of all political persuasions.'26

But, the objection might go, are not these horrendous occurrences precisely the sort of occurrences that Renan maintains France was able to turn into resources in her nation-building project? Are not the massacres of St Bartholomew's Day and the Midi simply the equivalents of the Sharpeville and Langa killings, the Soweto uprising, the bombings, Sebokeng and Boipatong? And can these events not, therefore, form the basis of a genesis story for the South African nation in the same perverse way that France's horrendous occurrences did for her?

There are several problems with this suggestion. First of all, France's horrendous occurrences achieve their nation-building effect by being commemoratively forgotten in a very special way. For one effect of the forgetting/remembering tropology 'is to figure

26 TRC, *Report*, vol. 1, p. 1. And the TRC is diligent in reporting the depth and breadth of the divisions and fissures, although its mandate concerns a certain sort of event from a relatively short period. The chapter entitled 'Historical Context' ranges briefly over almost all of South African history. (TRC, *Report*, vol. 1, ch. 2.)

episodes in the colossal religious conflicts of early modern Europe as reassuringly fratricidal wars between– who else?– *fellow Frenchmen*.'27 And this representation succeeds in large part because *these* horrendous occurrences lie five and seven hundred years in the past, well before nations and nation-building became global phenomena, even by the most implausibly early datings. Indeed, they lie so far in the past that 'we can be confident that, left to themselves, the overwhelming majority of Renan's French contemporaries would never have heard of "la Saint-Barthelemy" or "les massacres du Midi,"' and 'we become aware of a systematic historiographical campaign, deployed by the state mainly through the state's school system, to "remind" every young Frenchwoman and Frenchman of a series of antique slaughters which are now inscribed as family history.'28

South Africa's horrendous occurrences are signally different. Relatively speaking, they took place yesterday. They can usually be spoken of from living memory, and in some cases in the first person. No education is necessary in order to recall them, and too little time has passed to allow the mythological reconstruction of these events as terrible but fratricidal ones. And the historical immediacy of the violence is only part of the problem; it was accompanied by a racialized legislative apparatus and a discourse (admittedly issuing almost entirely from the mouth of the apartheid state) of ineradicable differences in ethnic/national identity. Moreover, even if it were possible to achieve it, no subtle recollective amnesia is even intended. As Tutu notes immediately after cataloguing the evils of our recent history, 'we could not pretend that it did not happen.'29 The *Report* later quotes Kader Asmal's thoughts about the necessity of the TRC: 'We must take the past seriously as it holds the key to the future. The issues of structural violence, of unjust and inequitable economic social arrangements, of balanced development in the future cannot be properly dealt with unless

27 Anderson, *Imagined Communities*, p. 200.
28 Anderson, *Imagined Communities*, p. 200-201.
29 TRC, *Report*, vol. 1, p. 1.

there is a *conscious* understanding of the past.'30 And, as we all know, the refrain of the TRC has been since its inception that in regard to the misdeeds of the past, it is forgiveness, but unequivocally not forgetfulness, that is required.

I think it may be this double difficulty (if the nation is new, what is its relationship to its past, and moreover, why does it even have a past? if the nation is old and resurgent, how can it have the divided and divisive past it does?) that accounts for the fact that the task of the TRC is typically characterised as 'healing the nation' through 'reconciliation,' two metaphors whose prevalence in talk about the TRC is matched only by their murkiness. If it is difficult to represent the TRC's work as nation-building, because doing so raises unanswerable questions about the ontological and ethical status of the various nations (old, new, maybe even transitional) that may be in the offing and their relationships to each other, the much vaguer idea of nation-*healing* allows for the evasion of these questions, at least rhetorically. The notion of a nation which has to be healed is crucially ambiguous about the status of the 'old' South African nation. If it existed, it existed only in a limited sense, as a wounded or emaciated nation, a divided or incomplete nation, a nation in need of reconciliation with itself.

The imagery of nation-healing and reconciliation might also allow us to make some sense of the fact that for the new South African nation, the other against which it defines itself is in a sense nothing other than itself. Certainly, illegal immigrants (and some sporting opponents) come in for a good deal of flak, some of it highly xenophobic. But the new South Africa, by the very logic of the terminology used to designate it, is primarily to be understood in opposition to the apartheid South Africa which it follows. Where nations almost always elaborate vertical divisions between themselves and other nations (or about-to-be-nations), the nation-healing process in South Africa elaborates a horizontal division between newer

30 Quoted, TRC, *Report*, vol. 1, p. 49; emphasis added.

and older versions of itself. And more important than mere novelty to the new South Africa is the fact that it is (or will be when the course of medication is complete) a nation restored to health, or perhaps healthy for the first time. The medical register which supports this representation has been extremely visible in talk by and about the TRC. Early on, the Ministry of Justice published a little pamphlet about the TRC and its vision of what it was supposed to do. The opening section was an 'Introduction' by Dullah Omar who wrote that the nation-building project required that 'the wounds of our people be recognised' and that 'we need to heal our country.'31 Alex Boraine continued the metaphor of wounds and healing when he wrote that there was a risk that the TRC 'instead of healing, could actually cause fresh wounds and cleavages in an already deeply divided society.'32 Tutu referred to the fitness of the Commission to 'contribut[e] to the healing process in our country,' to the 'healing ... of a deeply traumatised and wounded people,' and then to the Commission's work in 'opening wounds to cleanse them ... [to] stop them from festering.'33 Asmal argued for the necessity of a TRC on the grounds that not enough was known about the exact 'nature of the pathology we have been through.'34 And this idiom has endured remarkable well. In the *Report*, Tutu argued that 'however painful the experience, the wounds of the past must not be allowed to fester. They must be opened. They must be cleansed. And balm must be poured on them so they can heal.'35

Perhaps this is the way to understand the symbolic functioning of the Amnesty Committee. The Committee on Amnesty either grants or refuses amnesty to those who apply for it, depending on a variety of variables specified in advance, such as full disclosure, the

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31 Dullah Omar, 'Introduction' to Ministry of Justice Booklet, *Truth and Reconciliation Commission* (Rondebosch: Justice in Transition, 1996), p. 3.
32 Alex Boraine, 'Introduction' in Alex Boraine, Janet Levy and Ronel Scheffer (eds.), *Dealing With The Past: Truth and Reconciliation in South Africa* (Cape Town: Idasa, 1994), p. xiv.
33 Press Release: 'Statement by Archbishop Desmond Tutu on his Appointment to the Truth and Reconciliation Commission,' November 30, 1995.
34 Kader Asmal, 'Foreword' in Boraine, Levy and Scheffer (eds.) *Dealing With The Past*, p. vii.
35 TRC, *Report*, vol. 1, p. 7.

Where do nations come from? Now, if nations are neither ancient nor naturalistic and given entities, then there is a certain plausibility to another important and persuasively argued claim about them: that nationalism3, often deliberate and highly innovative, precedes nations, that 'nations do not make nationalism and states but the other way round.'4 But we must be careful to avoid attributing a misleading false agency to an anthropomorphized "nationalism." For talk about "nationalism" making nations is really a shorthand for talk about *nationalist elites coalitions historians* making nations, although the success or failure of such elites cannot be understood 'unless also analysed from below, that is, in terms of the assumptions, hopes, needs, longings and interests of ordinary people, which are not necessarily national and still less nationalist.'5 And we must, relatedly, be careful not to presuppose that such assumptions, hopes, needs, longings and interests are structurally unconstrained, that all persons are free to choose which nation they shall be. Even if one is not convinced by Smith's argument in *The Ethnic Origins of Nations* that the ancestors of nations can as a matter of fact be discovered in age-old, even pre-historic, *ethnie*,6 one can hardly dispute his claim that there must be more to nationalism than *just* 'nationalist fabrication.'7 Accounts that take this line suppress the very important questions '*Who* is the nation? Why these and not other nations?'8 (Smith, 1991: 362)

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3 Nationalism: 'primarily a principle which holds that the political and national unit should be congruent.' (Gellner, *Nations and Nationalism*, p. 1.)

4 E.J. Hobsbawm, *Nations and Nationalism Since 1879: Programme, Myth, Reality* (Cambridge: Cambridge University Press, 1990), p. 10.

5 Hobsbawm, *Nations and Nationalism*, p. 11.

6 Anthony D. Smith, *The Ethnic Origins of Nations* (Oxford: Basil Blackwell, 1986).

7 Anthony D. Smith, 'Nationalism and the Historians,' *International Journal of Comparative Sociology*, 1992, vol. 33, p. 72.

8 Anthony D. Smith, 'The Nation: Invented, Imagined, Reconstructed?' *Millennium*, 1991, vol. 20, p. 362. Anderson does, certainly, note that 'from the start the nation was conceived in language, not in blood, and that one could be 'invited into' the imagined community. Thus today, even the most insular nations accept the principle of *naturalization*, no matter how difficult in practice they may make it.' (Anderson, *Imagined Communities*, p. 145.) the point, though, is that such naturalization could never be wholesale without elimination either the emigrant or the host nation.

Myths and stories. Next, we know that the construction and presentation of myths and narratives is crucial for the creation (as well as maintenance) of nations, and we even know something both about the functioning and about the substantive content of these myths and narratives. We know, for example, that they typically function to define the nation by reference to aliens, foreigners and strangers that by the nature of the matter are other nations or potential nations, but which are in any case a numerically distinct collective. And this is not a piece of knowledge bequeathed to us by the postmodern turn's fascination with the Other, either. A perfectly orthodox, although astute, modernisation theorist wrote in the late 1950s that 'the negative or 'anti'-character of nationalism in a colonial context is simple enough to explain, but it is by no means unique to colonialism. Everywhere the national "we" has been to a considerable degree defined by contrast to the alien and opposing "they."'9 This is the real force of the word "limited" in Benedict Anderson's felicitous definition of the nation as an 'imagined political community– and imagined as both inherently limited and sovereign.' When he elaborates on what he means by limited, he writes that 'the nation is imagined as *limited* because even the largest of them, encompassing perhaps a billion living human beings, has finite, if elastic, boundaries, beyond which lie other nations. No nation imagines itself coterminous with mankind.'10 We know too that the story of the nation is often that its roots lie in almost prehistoric times, and that it struggled to become against some almost crushing form of tyranny. When the nations which nationalists are pushing are not obviously in evidence, this is because, although already constituted, they need to be awoken from their historic somnolescence, or liberated from oppression (by enemies they will probably continue to define themselves against) once liberated.11 Less frequently,

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9 Rupert Emerson, 'Nationalism and Political Development,' *Journal of Politics*, February 1960, vol. 22, pp. 5-6.

10 Anderson, *Imagined Communities*, pp. 6-7.

11 Kathryn A. Manzo, *Creating Boundaries: The Politics or Race and Nation* (Boulder and London: Lynne Rienner Publishers, 1996), pp. 18-27. Rhetorical work of this sort has even taken in some scholars of nationalism. Anthony Smith claims that Meinecke and Kohn *themselves* held 'the

political nature of the crime, its seriousness, and so forth. What is so interesting about amnesty is that when it is granted, a diseased limb is rendered whole, and is re-incorporated into the body of the New South Africa; when it is not granted, a diseased limb which cannot be saved is amputated, and remains outside the borders of the body of the New South Africa. Saved limbs are grafted back onto the body of the new South Africa with which they have been shown to be compatible; unsavable limbs are dis-membered, not re-membered as part of this body.

But there is a fascinating paradox at the heart of this operation, bearing some family resemblance to the paradox of recollection Renan noticed, which deserves to be remarked upon. For a powerful current of thought on the question of the past and what to do with it, perhaps even the prevailing orthodoxy, argues the entire truth and reconciliation project from a consequentialist position. We must have such a process, that is, because it will ensure that the evil that has happened will never happen again. We will have the instance of the past always before us as a warning. But this warning– of necessity, it seems– must emanate from the pile of body parts which could not be saved, the reminder of the divisive past from which the body of the new South Africa has cut itself off. Why of necessity? Because it cannot be allowed that a reminder of and warning about the evils of the past emanate from the new South Africa; the point is exactly that the new South Africa understands itself by opposition to those signs of disease and pathology. The severed limb must return in the form, at the very least, of the phantom limb, twitching out its admonitory function beneath the bedclothes which in fact conceal only its absence.

This paradox is not the only problem with the surgico-medical solution. It is necessary to ask what it even *means* for a nation to be wounded? Individual members of a nation, obviously, can be wounded, even all of them. But even in such a case, talk of a wounded nation seems a little odd. It requires the acceptance of the idea– a stock image of nationalist

mythology– that nations are like people, and that a wounded nation can be treated like a wounded person. Rosenberg claims that in the same way that traumatized individuals benefit from the (incidental?) therapeutic benefits of telling their stories in front of truth and reconciliation commission style institutions so if a 'whole nation is suffering from post-traumatic stress disorder, this process would be appropriate for the whole nation.'36 Commenting on Rosenberg's inference from the individual to the massively collective, Minow writes that 'when it comes to the goal of national healing, it is simply unclear whether theories and evidence of individual recovery from violence have much bearing.'37

I want now to turn briefly to the political and moral evaluation of the TRC's conception of the nation. The first difficulty is that– this has been part of the point of the paper so far– there is no entirely coherent conception of the nation evident in the institution's explicit attitude. But at the most general level, it seems to be true that nation-building and reconciliation are good things, and not to be valued for pragmatic reasons only. But the family of nation-like forms of unity and reconciliation is a large one, and not all of its members are equally compatible with the set of values that the TRC supports. Simplifying somewhat, I want to make a distinction between ethnic or substantive nationalism on the one hand, and civic nationalism on the other.38 The first of these stresses political unity, in its ethnic variant understood to revolve around an ethnic or cultural identity, but in any case ordered by a substantive (say, religious) conception of the national good. Dissent and internal difference appear as threats to this brand of nationalism. Civic nationalism, on the other hand, tends to acknowledge the ineliminability of contestation and diversity, sometimes in

36 Tina Rosenberg, *The Haunted Land: Facing Europe's Ghosts after Communism* (New York: Vintage, 1995), p. 26.
37 Minow, *Between Vengeance and Forgiveness*, p. 63.
38 There already exists some excellent work in this vein. See Richard Wilson, 'The Sizwe Will Not Go Away: The Truth and Reconciliation Commission, Human Rights and Nation-Building in South Africa,' *African Studies*, 1996, vol. 55/2; and Jonathan Allen, 'The South African Truth and

nation-building projects figure the nation is figured as being born (for the first time, not reborn), cloaking it in the 'allegorical mantle of a human baby.'12 Consistent with the metaphors both of slumber and birth, nationalist mythologies also tend to rely heavily on representations of the nation as a body, as a person writ large. As a robust strategy, 'images of the national body are always contextual,' and what is foregrounded will vary from case to case. Sometimes, the trope works overtime, doing service both for the nation and against its others: against the 'idealized vision of whatever nationalism worships– marriage, fertility, health, sanity, cleanliness, purity, efficiency...– all that is base, lower and offensive in society is projected onto the body of the alien.' 13

Nation and memory: We know also that there exists an ambiguous and complex relationship between nations and their histories, even as mythologized and recast. Renan famously noted that 'forgetting, [even] historical error, is a crucial factor in the creation of a nation,' and that 'the essence of a nation is that all individuals have many things in common, and also that they have forgotten many things.'14 As an example of the peculiar way in which the nation remembers, Renan demonstrates that 'every French citizen has to have forgotten the massacre of Saint Bartholemew, or the massacres that took place in the Midi in the thirteenth century.' What is so very odd about this sentence is that what it really points out is that every French citizen must know– remember– what he or she is supposed to have forgotten, and that a process of education may be necessary to this end. As Anderson notes, 'having to 'have already forgotten' tragedies of which one unceasingly needs to be 'reminded' turns out to be a characteristic device in the later construction of national genealogies.'15 Certainly, the process of remembering is not always as tortured as this, but in

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nationalist belief that nations have existed from time immemorial, though often in prolonged slumber.' (Anthony Smith, *National Identity* (London: Penguin, 1991), p. 43.)

12 Manzo, *Creating Boundaries*, p. 27.

13 Manzo, *Creating Boundaries*, p. 54.

14 Renan, 'What is a nation?' p. 11.

15 Anderson, *Imagined Communities*, pp. 200-201.

any event national memory is likely to be selective. Not all history will qualify as memorable, or at least as memorable for the purposes of nation-building. So, for example, with the massive exception of the Bastille, apposite historical landmarks were difficult for Third Republic France to come by, as history before 1789 recalled church and monarchy, and history after 1789 was divisive rather than unifying.

Now, before I come to the question of whether the TRC will succeed in building a South African nation, it makes sense to ask whether it was ever meant to do so, and whether it itself understood its brief to include nation-building. It would be unfair to charge the TRC with failing to achieve a goal it never intended to; and some commentators seem at times not to recognize nation-building as an aim of the TRC. Minow, for example, writes that the TRC's 'goal is to express government acknowledgement of the past, to enhance the legitimacy of the current regime, and to promote a climate conducive to human rights and democratic processes.'16 I think, though, that it is clear enough that TRC was intended as a nation-building agent, and understood itself that way. It was established by the Promotion of National Unity and Reconciliation Act, which stipulates that the 'objectives of the Commission shall be to promote national unity and reconciliation in a spirit of understanding which transcends the divisions of the past.'17 In introducing the Act in Parliament, the Minister of Justice described it as part of the 'historic bridge' by which 'our society can leave behind the past of a deeply divided society characterised by strife, conflict, untold suffering and injustice, and commence the journey towards a future founded on the recognition of human rights, democracy and peaceful co-existence.'18 The TRC makes explicit that it understood the word society to mean nation here: 'The TRC was conceived as part of the

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16 Martha Minow, *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence* (Boston: Beacon Press, 1998), p. 57. On the other hand, Minow does title one- short and rather disappointing- sub-section of her book 'Healing a Nation.' (Minow, *Between Vengeance and Forgiveness*, pp. 79-83.)

17 Quoted, TRC, *Truth and Reconciliation Commission of South Africa Report* (Cape Town: Juta and Co, 1998), vol. 1, p. 55.

bridge-building process designed to help lead the nation away from a deeply divided past to a future founded on the recognition of human rights and democracy.'19 In his opening address to the TRC, chairperson Desmond Tutu described the TRC as 'a part of the process of the healing of our nation. ... We will be engaging in what should be a corporate nationwide process of healing.'20 And throughout its existence, the TRC characteristically outlined its task as healing the nation.

But it might be objected that healing the nation is not, on the strictest reading, quite the same thing as building the nation. To build a nation is to make something from scratch, as it were; to heal a nation is to do something with a nation which already exists. Certainly, the phrase nation-building has been used to describe the creation *ex nihilo* of nations (or at least nation-states), especially in the case of nation(-state)s– like Germany and Italy– established after the unification of discrete sub-national units. If *this* is what nation-building entails, then it might be argued that the most that the TRC can achieve is nation-*re*building. To make this claim quite as starkly as this may be to put too fine a point on it (and it is unclear what analytical advantage would be gained); but acknowledging it does provide a useful point at which to begin the discussion of the obstacles facing the TRC as a nation-building agent.

I noted above that it is well-established that nations are not natural or found objects, but rather (within limits) artefacts manufactured by nationalist elite. So there is in the abstract nothing strange or over-ambitious about the TRC's attempt to build a South African nation. Undoubtedly, success in this project will require (as the TRC itself recognizes) the assistance and cooperation of a range of institutions, but the project, in the abstract, is by no means without precedent. But the concrete particulars of the South African case are less promising.

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18 TRC, *Report*, vol. 1, p. 48.
19 TRC, *Report*, vol. 1, p. 48.
20 Press Release, 'Archbishop Desmond Tutu's address to the first gathering of the Truth and Reconciliation Commission,' December 16, 1995.

First of all, it is difficult to imagine a clean way for the TRC (or any other South African nation-building agent) to found the South African nation. The two broad options for a South African nation-building mythology are South Africa as newborn baby, and South Africa as resurrected slumberer. Neither option seems promising. The TRC has consistently made it impossible to think of he New South Africa as *genuinely* new, as being born sometime in the 1990s as a phenomenon unencumbered by any history. The very first sentence of the *Report* reads: 'All South Africans know that our recent history is littered with some horrendous occurrences.'21 Let us be clear about the import of this statement. Not only must there *already* be a South African nation if there are South Africans; there is already a national history (if it is 'ours,' it can in this context be nothing but national) of which all South Africans are aware. A few paragraphs later, we read that it is hoped that the TRC will 'become engaged in the process of helping our nation o come to terms with its past.'22 Or: 'We could not make a journey from a past marked by conflict, injustice, oppression, and exploitation to a new and democratic dispensation characterised by a culture of respect for human rights without coming face to face with our recent history.'23 At some points, the South African nation is already so fully in existence and coherent prior to the establishment of the TRC that it is credited with choosing the form of the institution: 'Our nation, through those who negotiated the transition from apartheid to democracy, chose the option of individual and not blanket amnesty.'24 It is thinking of this kind which makes it possible for Tutu to quote Marvin Frankel approvingly to the effect that 'a nation divided during a repressive regime does not emerge suddenly united when he time of repression has passed.'25

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21 TRC, *Report*, vol. 1, p. 1.
22 TRC, *Report*, vol. 1, p. 2.
23 TRC, *Report*, vol. 1, p. 5.
24 TRC, *Report*, vol. 1, p. 7.
25 TRC, *Report*, vol. 1, p. 6.

celebratory fashion, and to encourage a state patriotism and an allegiance to democratic constitutionalism rather than to substantive conceptions of the common good.

Now, where does the TRC stand in regard to these two diverging options? There is certainly a strong strand of civic nationalism evident in much of the TRC's representation of itself, particularly as one of the new 'instruments aimed at the promotion of democracy,' and in its talk of, to put it bluntly, making South Africa safe for democracy and human rights. And in its presuppositions a similar commitment is discernible. It evidences a reduced and non-retributivist comprehension of punishment, recognizes the equal dignity and moral equality of all citizens, and provides an education in the sense of injustice.39

At the same time, however, there are elements of a form of substantive (or at least substantializing) nationalism. This is most obvious in the TRC's sometime understanding of the nation as an individual (healed and healable, self-reflective, unified), as an incorporated people-as-one. Claude Lefort has argued that representations of collectivities as individuals, as persons writ large are indicative of a totalitarian imaginary founded by a logic of identification.40 This may be to make the imagery do rather too much work, but it seems plausible enough to claim that if the new South Africa is learned as a person, then the space which a civic nationalism tries to open up for disagreement and debate is severely diminished (unless this new South Africa is schizophrenic...).

These last paragraphs attempt to be nothing more than suggestive. What I am still not entirely about is precisely what they suggest. Is their suggestion that the TRC's conception of the nation is too incoherent to deserve moral approbation, and at least in part (its substantively nationalist part) deserving of positive condemnation? Or is their suggestion

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Reconciliation Commission: Some Perspectives from Political Theory,' unpublished paper, Princeton University.

39 These points are drawn from Allen, 'Truth and Reconciliation Commission,' p. 33.

rather that the TRC has a workmanlike conception of what is necessary to negotiate the difficult path between building a unified nation and preserving a space for constitutional democratic politics?

40 Claude Lefort, *The Political Forms of Modern Society: Bureaucracy, Democracy, Totalitarianism* (Cambridge: Polity Press, 1986), pp. 297-298.